

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

1. Nature and/or Description of Action

The Defense Threat Reduction Agency contracting activity proposes to procure without using full and open competition the services of the National Academy of Sciences' (NAS) National Research Council (NRC) to direct the Defense Threat Reduction Agency (DTRA) Research and Development Enterprise, Chemical and Biological Technologies Directorate (RD-CB) NRC Associateship Program. This program provides post-doctoral research opportunities in chemical and biological defense (CBD)-related research at Department of Defense (DoD) Laboratories and Centers thereby supporting the labs in their efforts to develop and exploit new technologies to defend the warfighter. Further, this program augments workforce revitalization and contributes significantly to the recruitment and advancement of talented, new scientists and engineers to perform future CBD-related research

2. Description of the Supplies/Services Required

The NRC will establish and administer the DTRA RD-CB NRC research associateship program. The NRC, as the operating arm of the NAS, will provide overall scientific and technical policy supervision and administrative functions to support the NRC research associateship Program on behalf of DTRA and the CBD program.

Period of Performance

5 Years

Anticipated Costs:

\$10,665,096

3. Statutory Authority

The statutory authority for this non-competitive action is (choose only one):

10 United States Code (U.S.C.) 2304(c)(1) or 41 U.S.C. 253(c)(1), as implemented by FAR 6.302-1, Only One Responsible Source.

4. Applicability of Authority

The long established status of the NAS as a unique source of scientific research and policy advice to the Government derives from its creation by Congress in 1863. 36 U.S.C. 150303 says

“On request of the United States Government, the corporation shall investigate, examine, experiment, and report on any subject of science or art. The corporation may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose.”

Executive Order 12832 dated January 19, 1993 describes the special relationship of the NAS to the Government and its unique capacity to marshal scientific expertise of the highest caliber in order to provide independent and objective science policy advice.

The NAS has the unique ability to assemble the Nation’s most eminent scholars, who serve as volunteers without compensation on committees and boards, which are then able to render advice and guidance of the highest quality and unparalleled objectivity to address national problems of high priority. Accordingly, only NAS can provide the measure of expertise, independence, objectivity and audience acceptance necessary to meet our program requirements. Only NAS/NRC can only administer the NRC Associateship Program.

5. Effort to Solicit Potential Sources

A notice of intent will be posted on the Federal Business Opportunities website.

6. Fair and Reasonable Costs

The anticipated cost/price of this contract action to the Government will be determined to be fair and reasonable based comparative analyses of NAS’s administration of other DoD sponsored programs

7. Market Research

The market research resulted with the five strongest candidates being the National Academies of Science (NAS), the American Association for the Advancement of Science (AAAS), the National Science Foundation (NSF), the National Institutes of Health (NIH), and the Federation of American Societies of Experimental Biology (FASEB). Of these five candidates, only two (NAS and AAAS), have sufficient scientific scope to expertly evaluate applicants to every laboratory within the CBDP. The remaining two candidates differ in their administrative ability and experience, however. AAAS only places fellows within offices for policy work; they do not place fellows in research laboratories. NAS has placed many fellows in research laboratories across all scientific disciplines and currently does so on behalf of several government agencies. Of all organizations considered, only NAS has sufficient scientific scope and administrative ability to fulfill the requirements of the CBDP RAP.

Executive Order 12832 declares that “when a department or agency of the executive branch of the Government determines that the Academy [NAS], because of its unique qualifications, is the only source that can provide the measure of expertise, independence, objectivity, and audience

acceptance necessary to meet the department's or agency's program requirements, acquisition of services by the Academy may be obtained on a noncompetitive basis."

Executive Order 12832 applies to this project because market research revealed that only NAS can satisfy the agency's requirements to expertly evaluate applicants to all laboratories within the CBDP and to place fellows directly in research laboratories.

8. Other Facts

The Statement of Work is available.

9. Interested Sources


None

10. Subsequent Actions

None.

Technical Certification

I certify that the data and information forming the basis for this justification are accurate and complete to the best of my knowledge and belief.

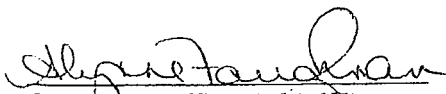


Project Manager/

3/15/10
Date

Contracting Officer Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief.

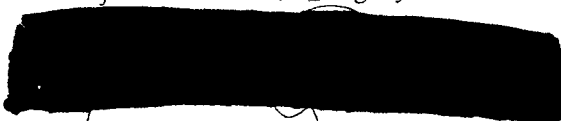


Contracting Officer (≤\$550K)

15 Mar 2010
Date

General Counsel Coordination

This justification is ~~is~~ legally sufficient.



General Counsel


15 Mar 2010

Attorney

Date

Approval

Based on the above justification, I hereby approve accomplishment of this acquisition by means other than using full and open competition.


Competition Advocate (>\$550 thousand and ≤\$11.5 million)

Mar 15, 2010
Date